



INSIGHTS

107th Congress

April 23, 2002

*Also available on the FEMP Home Page at
<http://www.eren.doe.gov/femp/resources/insights.html>.*

[Weekly Summary](#)

[New Legislation](#)

[Committee Activity](#)

[Administration](#)
[Initiatives](#)

[House](#)

[Senate](#)

[Hearings Schedule](#)

INSIGHTS is prepared expressly for the Department of Energy's Office of Federal Energy Management Programs (FEMP). The purpose of ***INSIGHTS*** is to provide FEMP management staff with timely information on legislative activities relevant to the program. ***INSIGHTS*** is prepared for FEMP by Energetics, Incorporated, (202) 479-2748.

I. WEEKLY SUMMARY

HOUSE

In the House, two authorization and two oversight hearings have been scheduled:

- Subcommittee on Military Installations & Facilities Subcommittee (Committee on Armed Services) hearing to authorize FY 2003 appropriations.
- Committee on Resources hearing on legislation authorizing the Secretary of Interior to provide for maintenance and repair of buildings and properties located on lands in the National Wildlife Refuge System by lessees of such facilities.
- Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs (Committee on Government Reform) will examine instability of the fuel market.
- Subcommittee on Civil Service, Census, and Agency Organization (Committee on Government Reform) will conduct a broad examination of *H.R. 2373 - Abolishment of Obsolete Agencies and Federal Sunset Act of 2001*.

SENATE

Senate activities are scheduled to include the following:

- Cloture vote on April 23 on *S. 517* (comprehensive energy legislation), which would limit debate on the bill and could move *S. 517* toward a vote by the end of the week.
- Subcommittee on Investigations (Committee on Governmental Affairs) will hold two hearings this week, entitled - Gas Prices: How are they really set and why have they become so volatile?

CONFERENCE COMMITTEES/VOTES

Conference negotiators hope to wrap up discussion and approve *H.R.2646 – Farm Security Act of 2001* and *S. 1731 – Agriculture Conservation, and Rural Enhancement Act of 2001* by the end of April. The bill includes energy efficiency and renewable energy provisions.

[Back to Table of Contents](#)

II. COMMITTEE ACTIVITY

HOUSE

Climate Research and Energy Technology The Committee on Science met on April 17th to hear testimony from experts examining whether and how to change the focus of the Federal Government's climate research and technology initiatives. Chairman Sherwood Boehlert (R/NY), organized the hearing to allow panelists to discuss the objectives of the Climate Change Research Initiative and the National

Climate Change Technology Initiative. Edward Miles of the University of Washington Climate Research Group commented **that in order to achieve energy goals, the programs must “assess climate-related pressures on energy availability and costs ... particularly in the face of continued rapid climate change (regional warming) and population growth.”** James Edmonds of Pacific Northwest National Laboratory testified that **“technologies that are potentially important in stabilizing the concentration of CO2 include energy efficiency and renewable energy forms...** and technologies such as terrestrial carbon capture and sequestration by plants and soils, carbon capture and geologic disposal, fuel cells and batteries, and commercial biomass and biotechnology ... at their present state of development... are undeveloped or play only a minor role in the global energy system.” Mr. Edmonds asked that Federal research programs be designed to develop “nano-technolog[ies]... miniature machines capable of providing energy services such as space conditioning with high efficiency and low cost.” Scott Bernstein, President of the Center for Neighborhood Technology asked legislators to develop “potential Federal roles to create the incentives necessary to capture the benefits of ... increased energy efficiency”. These actions include:

- Using tax policy to stimulate meter technology turnover
- Exploring Federal authority to help states consider unbundling metering and distribution service
- Exploring use of existing Federal credit enhancement mechanisms to help create community scale energy services
- Changing Federal research and development budgets on buildings and energy commensurate with the opportunities inherent in working with existing buildings and community scale benefits
- Identifying a coordinated strategy that results in a place- based infrastructure for real time alignment and community decision support.

A follow-on hearing will occur in May or in June to hear from government witnesses on detailed plans included in the President’s climate change program.

Federal Property Management Steve LaTourette (R-OH), Chairman of the Subcommittee on Economic Development, Public Buildings and Emergency Management of the Committee on Transportation and Infrastructure, held a hearing on April 18th to discuss improvements to Federal agencies’ property management capabilities and to assess provisions of *H.R. 3947 - Federal Property Asset Management Reform Act of 2002*. In his opening remarks, Chairman LaTourette expressed concern that while *H.R. 3947* amends the *Federal Property and Administrative Services Act of 1949 (Property Act)*, *H.R. 3947* should also address deficiencies in the *Public Buildings Act of 1959*, which gives the General Services Administration (GSA) the authority to acquire, construct, renovate, and lease property. GSA Administrator Stephen Perry condoned the existing *Property Act* as “lack[ing] the flexibility and incentives for agencies to manage their property inventories strategically.” **The new bill allows agencies to “transfer, exchange, or sell any property within its jurisdiction, retain the proceeds of these transactions, and use the money for the acquisition or lease of property. Landholding agencies are also permitted to sublease, outlease, and enter into public/private partnerships with Federal and non-Federal entities for any unused or underused portion of property to generate revenue and reduce the amount of vacant space” provisions,** which, according to Chairman LaTourette, will “help to generate revenue for the agencies for capital, better utilize unneeded and underutilized space, and provide an incentive for agencies to dispose of unneeded property.”

[Back to Table of Contents](#)

SENATE

Energy Legislation Last week, the Senate continued work on *S. 517 – No Short Title* (comprehensive energy legislation). Supporters for drilling in the National Arctic Wildlife Refuge (ANWR) failed to garner enough votes to pass the provision; House energy bill *H.R. 4* includes a provision limiting the amount of drilling in ANWR. A number of industry advocates for *S. 517* have withdrawn their support for the bill, in some cases shifting support to *H.R. 4* because that bill has stronger production measures. Environmentalists are pleased because they opposed ANWR and some hope the bill dies on the Senate floor because a number of key provisions have been or are expected to be dropped from the bill including:

- Stronger Corporate Average Fuel Economy Standards
- New or enhanced tax incentives
- Restructuring of the electric utility industry

However, last week, two energy efficiency amendments did pass the Senate and include the following:

- Amendment to provide states with matching Federal funds to give consumer rebates for the acquisition of Energy Star appliances
- Amendment directing the U.S. Department of Housing and Urban Development to improve the efficiency of public housing by requiring the Department to coordinate the program through the agency's public housing system. The amendment also requires that the construction of any new public housing units meet established energy codes, when cost effective

On Tuesday, April 23, Majority Leader Tom Daschle (D/SD) is expected to hold a vote on the *S. 517*. Observers speculate that his intent is to either pass the bill in its entirety this week, or, if he can't invoke cloture (limit to 30 hours, debate on the bill in order to achieve a roll call vote), he will remove it from consideration. Depending on the results of Tuesday's vote, the Senate may move forward and vote on a reformulated gasoline (RFG) amendment during the Tuesday or Wednesday floor session. Approval of the RFG amendment would result in the creation of a 5 billion gallon national renewable fuel standard, which would favor ethanol fuel. If *S. 517* passes the Senate, a conference committee on the House and Senate bills would be held. It has been reported that the Administration believes a conference on comprehensive energy legislation could restore production provisions (e.g., ANWR) in a final bill.

FY 2003 Budget Resolution Majority Leader Daschle and Kent Conrad (D/ND), Chairman of the Committee on the Budget have reportedly said they plan to move forward on the non-binding resolution. The committee passed a \$2.1 trillion resolution, which is unlikely to be approved by the full Senate. The annual budget resolution serves as the foundation for the appropriation process.

[Back to Table of Contents](#)

III. NEW LEGISLATION

HOUSE

Number	Short title	Date	Sponsor	Status
H.R. 4121	No Short Title	April 9, 2002	John Spratt (D/SC)	Referred to the Committee on Ways and Means
	Key Provisions:	Amends the Internal Revenue Code of 1986 to allow an additional advance refunding of tax-exempt bonds issued for the purchase or maintenance of electric generation, transmission, or distribution assets.		
H.R. 4160	No Short Title	April 10, 2002	John Shimkus (R/IL)	Referred to the Committee on Energy and Commerce
	Key Provisions:	Eliminates certain restrictions on the availability of credits under title III of the <i>Energy Policy Act of 1992</i> for the use of biodiesel fuel. Requires the Secretary of Energy to conduct an alternative-fueled vehicle market study and report to determine the availability and cost of light duty motor vehicles and fuels that qualify as alternative-fueled vehicles for purposes of title V of the <i>Energy Policy Act of 1992</i> . Report shall be submitted to Congress no later than one year after enactment of the act.		
H.R. 4212	No Short Title	April 11, 2002	Brad Sherman (D/CA)	Referred to the Committee on Energy and Commerce
	Key Provisions:	Directs the Secretary of Energy to conduct a study of the effects of year-round daylight savings time on fossil fuel usage. Report shall be submitted to Congress no later than one year after enactment of the Act.		

SENATE

Number	Short title	Date	Sponsor	Status
S. 2080	No Short Title	April 9, 2002	Barbara Boxer (D/CA)	Referred to the Committee on Environment and Public Works
	Key Provisions:	Designates that a United States courthouse be constructed in Fresno, California, as the 'Robert E. Coyle United States Courthouse'.		

[Back to Table of Contents](#)

IV. ADMINISTRATION INITIATIVES

No new initiatives of interest to report.

[Back to Table of Contents](#)

V. HEARINGS SCHEDULE

HOUSE – COMMITTEE ON APPROPRIATIONS

There are no hearings of interest to report.

HOUSE – AUTHORIZATIONS/OVERSIGHT

Date/Committee	Chair	Hearing Title/Issues	Witnesses	Time/Location
<i>April 23</i> – Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs (Committee on Government Reform) <i>(NEW)</i>	Doug Ose (R/CA)	<i>Oversight Hearing</i> – Examine instability of the fuel market	Vicky Bailey, DOE Assistant Secretary for Policy and International Affairs Mary Hutzler, EPA Acting Administrator of the Energy Information Administration William Kovacic, General Counsel Federal Trade Commission, Officials from Charles River Associates, Hart Downstream Energy Services, University of California - Berkeley	2:00 p.m. Room 2154 Rayburn Office Building
<i>April 23</i> – Subcommittee on Civil Service, Census, and Agency Organization (Committee on Government Reform) <i>(NEW)</i>	Kevin Brady (R/TX)	<i>Oversight Hearing</i> – Broad examination of <i>H.R. 2373 - Abolishment of Obsolete Agencies and Federal Sunset Act of 2001</i> (bill provides for periodic review of the efficiency and public need for Federal agencies, to establish a Commission for the purpose of reviewing	Kevin Brady (R/TX) Jo Ann Emerson (R/MO) Jim Turner (D/TX) Officials from the Office of Management and Budget, the Cato	3:00 p.m. Room 2247 Rayburn Office Building

Date/Committee	Chair	Hearing Title/Issues	Witnesses	Time/Location
		the efficiency and public need of such agencies, and to provide for the abolishment of agencies for which a public need does not exist.	Institute, and the National Taxpayers Union, among others	
<i>April 25</i> – Subcommittee on Military Installations & Facilities (Committee on Armed Services) <i>(NEW)</i>	Duncan Hunter (R/CA)	<i>Mark Up</i> – H.R. ____ To authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2003, and for other purposes.	TBA	10:00 a.m. Room 2212 Rayburn Office Building
<i>April 24</i> – Committee on Resources <i>(NEW)</i>	James Hansen (R/UT)	<i>Mark Up</i> – H.R. 1370 - To amend the <i>National Wildlife Refuge System Administration Act of 1966</i> to authorize the Secretary of the Interior to provide for maintenance and repair of buildings and properties located on lands in the National Wildlife Refuge System by lessees of such facilities, and for other purposes.	N/A	10:00 a.m. Room 1334 Longworth Office Building

SENATE – COMMITTEE ON APPROPRIATIONS

There are no hearings of interest to report.

SENATE – AUTHORIZATIONS/OVERSIGHT

Date/Committee	Chair	Hearing Title/Issues	Witnesses	Time/Location
<i>April 30</i> - Subcommittee on Investigations (Committee on Governmental Affairs) <i>(NEW)</i>	Carl Levin (D/MI)	<i>Hearing</i> - Gas Prices: How are they really set why have they become so volatile?	TBD	9:30 a.m. Room 342 Dirksen Office Building

CONFERENCE COMMITTEE NEGOTIATIONS/FLOOR VOTES

Date	Legislation
<i>Conference Committee - April 23</i> <i>(Ongoing)</i>	<i>Conference Committee Negotiation</i> – the Farm Bill <i>H.R.2646</i> – <i>Farm Security Act of 2001</i> and <i>S. 1731 – Agriculture, Conservation, and Rural Enhancement Act of 2001</i> , which includes a \$200 million incentive program over the next 10 years to help U.S. farmers develop renewable energy, implement energy efficiency improvements, support biomass research and development, and promote the use of biodiesel fuel in farming and rural communities. Energy-related provisions have been approved by the conferees.
<i>Senate Floor Consideration – Week of April 23</i> <i>(UPDATE - Ongoing)</i>	<i>Senate Debate and Vote – Provisions of S. 517- No Short Title (comprehensive energy legislation). This week, the Senate may hold a cloture vote on the bill</i>

[Back to Table of Contents](#)